

REGULAR MEETING
APRIL 15, 1999

The Ashland Board of Commissioners met in Regular Session in the Commission Chambers, City Building, Ashland, Kentucky, on Thursday, April 15, 1999, at the hour of 7:00 PM. Those present were Commissioners: Nancy Dickinson, Paul Reeves, Kevin Gunderson, Michael Stewart and Mayor A. R. Dunnigan, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah D. Musser, City Clerk; Gary Watts, Fire Chief; Ronald W. McBride, Chief of Police; Doug Burns, Director of Planning and Community Development; Joseph P. Harris, Director of Public Services; Amanda Sinnette, Economic Development Director; Marion Russell, Assistant Director of Public Services; Michelle Veach, Assistant Finance Director and Reporters.

The invocation was given by Commissioner Dickinson.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the agenda of April 15, 1999. Motion was made by Stewart, seconded by Reeves, to receive and file the agenda. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report - Motion was made by Reeves, seconded by Stewart, approving the request submitted by Ashland Baptist Church for a Community Day Block Party and Picnic on Saturday, April 24. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

PUBLIC PARTICIPATION

Barbara Walters Bator, 330 Ringo Street, asked the Commission about selection of a citizens committee to study the expenditures, etc. and if the City had any information online accessible to the general public. Ms. Bator was informed that all budget meetings are open to the public and the Commission welcomes review by interested parties. She was also given the City's web site and home page where information is available.

Betty Clair, 3032 Carter Avenue, asked for the City's assistance in getting cross walks placed at the garden center on the end of the mall. She also reported on parking problems at the Post Office and thanked the City for placement of a dumpster in her neighborhood.

Jim Biggs, 1635 Johnson Avenue, asked the Commission to consider placement of a section in the newspaper outlining issues in order to get the proper information out to the public. He also asked about the hiring on the Consent Agenda and was informed it was an internal promotion.

Bill Gray, 1500 Montgomery Avenue, representing the Parking and Traffic Committee of Main Street requested consideration of parking spaces being placed along the center of 16th Street and development of the parking lot beside the former Star's building.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 34, 1999

ORDINANCE NO. 34, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING A. R.
DUNNIGAN, **AND** MAYOR, TO EXECUTE A
CONTRACT BETWEEN THE **FINAL** CITY OF
ASHLAND, PARAMOUNT ARTS CENTER AND
ADOPTION LOUIS & HENRY GROUP FOR THE
DESIGN & PREPARATION OF CONTRACT
DOCUMENTS AND CONSTRUCTION
ADMINISTRATION OF THE ADDITION AND
RENOVATION OF STAGE HOUSE AND ANNEX
CONNECTION AT THE PARAMOUNT ARTS CENTER.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, the Paramount Arts Center and the Louis & Henry Group for the design & construction administration of an addition and renovation of the stage house and annex connection at the Paramount Arts Center. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Dickinson, seconded by Stewart, to adopt Ordinance No. 34, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

DIRECTING A. R. AND DUNNIGAN, MAYOR
OF THE CITY OF ASHLAND, FINAL KENTUCKY,
TO EXECUTE AN AGREEMENT WITH ADOPTION
COLUMBIA GAS OF KENTUCKY, INC. FOR THE
RELOCATION OF GAS SERVICE FOR THE NEW STAGE
HOUSE ADDITION AT THE PARAMOUNT ARTS
CENTER.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 35, 1999 CONTINUED

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and he is hereby authorized and directed to execute an Agreement with Columbia Gas of Kentucky, Inc. for the relocation of the gas service for the new stage house addition at the Paramount Arts Center. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Reeves, seconded by Dickinson, to adopt Ordinance No. 35, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 36, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. AND DUNNIGAN, MAYOR
OF THE CITY OF ASHLAND, FINAL KENTUCKY,
TO EXECUTE AN AGREEMENT FOR ADOPTION
MODIFICATION AND/OR ADJUSTMENT OF
FACILITIES WITH GTE SOUTH FOR THE RELOCATION

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and he is hereby authorized and directed to execute an Agreement for Modification and/or Adjustment of Facilities with GTE South for the relocation of the telephone service for the new stage house addition at the Paramount Arts Center. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 36, 1999 CONTINUED

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 36, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 37, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR,
TO EXECUTE AN AGREEMENT **FINAL** WITH
HERITAGE GREEN, LLC REGARDING CERTAIN
ADOPTION IMPROVEMENTS IN A REDEVELOPMENT
AREA.

* * * * *

WHEREAS, the City of Ashland, Kentucky (the "City") has, pursuant to Ordinance No. 39, series of 1998, heretofore established a development area within the meaning of Section 99.751 of the Kentucky Revised Statutes (the "Development Area"); and

WHEREAS, the City has determined that it is in the best interest of the people of the City to provide assistance to businesses locating in or adjacent to the Development Area in order to create jobs and promote the economic development of the City, all to the benefit of the

public improvements (the "City Project"), which public improvements are more specifically identified in the Agreement, hereinafter defined; and

WHEREAS, the City and the Developer desire to enter into an agreement substantially in the form attached hereto as Exhibit A (the "Agreement") setting forth their mutual obligations as hereinabove recited; and

WHEREAS, it is found and declared that the City Project and the Developer Project, as defined in the Agreement, will result in the increase in the value of property in and around the Development Area and will result in the increase in employment in such area, thereby serving public purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 37, 1999 CONTINUED

SECTION 1. Policy and Purpose. The Commission hereby finds, determines and declares that all statements of fact set forth in the preambles to this ordinance are true and correct in all respects, and such preambles are incorporated herein and constitute a part of this resolution. The Commission hereby further finds, determines and declares that the acquisition and improvements constituting the City Project are necessary in order to promote the economic development of the City to the general welfare of the citizens and inhabitants of the City.

SECTION 2. Approval of Agreement. The Agreement between the City and the Developer identified in the preambles hereto, providing for the acquisition and construction of the Developer Project by the Developer and the City Project by the City, is hereby specifically approved substantially in the form attached hereto as Exhibit A, which such insertions, deletions and revisions, which are not inconsistent with the intent of this ordinance, as may be approved by the officer executing the Agreement.

SECTION 3. Execution. A. R. Dunnigan, Mayor, is hereby authorized and directed to execute the Agreement in the name and on behalf of the City and is further authorized to take such other actions as may be necessary to fulfill the intent and purposes of this ordinance.

SECTION 4. Repeal of Conflicting Actions. All ordinances, order or other legislative or administrative actions or parts thereof of this Commission in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 5. Effective Date of Ordinance. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as provided by law.

SECTION 6. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999

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Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 38, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR
OF THE CITY OF ASHLAND, **FINAL** KENTUCKY,
TO EXECUTE AN AGREEMENT **ADOPTION**
BETWEEN THE CITY OF ASHLAND AND THE
BOYD COUNTY EMERGENCY AMBULANCE SERVICE
ALLOWING CERTAIN CITY OF ASHLAND EMPLOYEES
TO USE AUTOMATED EXTERNAL DEFIBRILLATION
EQUIPMENT.

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REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 38, 1999 CONTINUED

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and he is hereby authorized and directed to execute an Agreement between the City of Ashland and the Boyd County Emergency Ambulance Service allowing certain City of Ashland employees to use automated external defibrillation equipment. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance shall be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Reeves, to adopt Ordinance No. 38, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO 38 1999

CITY OF ASHLAND AND THE ADOPTION
CANNONSBURG WATER DISTRICT REGARDING
THE CONSTRUCTION OF WATER LINES IN THE
GRANDVIEW LAKE ROAD AREA.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky, is hereby authorized and directed to execute an Agreement between the City of Ashland and the Cannonsburg Water District regarding the construction of water lines in the Grandview Lake Road Area. A true copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 39, 1999 CONTINUED

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. 39, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 40, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AMENDING THE ZONING
MAP OF THE **AND** OFFICIAL ZONING
ORDINANCE OF THE CITY OF **FINAL** ASHLAND NO.
101, SERIES OF 1986, AS PREVIOUSLY **ADOPTION**
AMENDED, BY CHANGING THE ZONING
CLASSIFICATION OF PROPERTY LOCATED AT THE
3100 BLOCK OF 13TH STREET FROM R-5 RESIDENTIAL,
MEDIUM DENSITY TO R-2 GENERAL BUSINESS

General Business, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application on March 16, 1999; and on the basis of evidence presented thereat made certain factual determinations and concluded therefrom that the proposed change is in conformance with the adopted Comprehensive Plan; and made a recommendation to the Ashland City Commission that said application be approved as requested;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. On the basis of the aforementioned factual determinations and recommendation by the Ashland Planning Commission with further review of such facts of the Ashland Board of City Commissioners, and pursuant to KRS Chapter 100, that the official Zoning Ordinance of the City of Ashland, No. 101, series of 1986 and the official Zoning Map which is a part thereof, be hereby amended as follows:

The zoning classification of property located at the 3100 block of 13th Street is hereby changed from R-5 Residential, Medium Density, to B-2 General Business.

SECTION 2. The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 40, 1999 CONTINUED

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 40, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 41, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR
OF THE CITY OF ASHLAND, **FINAL** KENTUCKY,
TO EXECUTE A CONTRACT WITH ~~ADOPTION~~ LIGHTS

THE DEPARTMENT OF PUBLIC SERVICES, DIVISION
OF PROPERTY CODE ENFORCEMENT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Light’s Enterprises, Inc. for the purchase of all labor, materials, equipment and services for the demolition and removal of all debris of 3349 Central Avenue (rear building), 1012 Belmont Street and 2833 Greenup Avenue. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 41, 1999 CONTINUED

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 41, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 42, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, REPEALING ORDINANCE
NO. 122, **AND** SERIES OF 1997, WHICH
AUTHORIZED THE MAYOR **FINAL** TO EXECUTE
AN AGREEMENT WITH RALPH D. **ADOPTION** BEADLE
DMD PSC FOR SIDEWALK REPLACEMENT UNDER THE
50/50 SIDEWALK REPLACEMENT PROGRAM.

conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. 42, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 43, 1999

ORDINANCE NO. 43, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, REPEALING ORDINANCE
NO. 149, **AND** SERIES OF 1997, WHICH
AUTHORIZED THE MAYOR **FINAL** TO EXECUTE
AN AGREEMENT WITH WENDY'S **ADOPTION**
INTERNATIONAL FOR SIDEWALK
REPLACEMENT UNDER THE 50/50 SIDEWALK
REPLACEMENT PROGRAM.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 149, Series of 1997, is hereby repealed.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Reeves, seconded by Stewart, to adopt Ordinance No. 43, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 44, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, REPEALING ORDINANCE
NO. 3, **AND** SERIES OF 1998, WHICH
AUTHORIZED THE MAYOR **FINAL** TO EXECUTE
AN AGREEMENT WITH BILL DUDDING **ADOPTION**
FOR THE INSTALLATION OF A WATER LINE
EXTENSION OUTSIDE THE CITY LIMITS AT 711 W.
LITTLE GARNER ROAD.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:
SECTION 1. That Ordinance No. 3, Series of 1998, is hereby repealed.
SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in
conflict herewith, to the extent of such conflict only, are hereby repealed.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 44, 1999 CONTINUED

SECTION 3. This Ordinance shall be in full force and effect from and after its
adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in
summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

ORDINANCE NO. 45, 1999

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR
OF THE CITY OF ASHLAND, **FINAL** KENTUCKY,
TO EXECUTE A LETTER OF **ADOPTION**
UNDERSTANDING WITH KENTUCKY POWER
COMPANY FOR THE RELOCATION OF POWER LINES
AND SERVICE FOR THE NEW STAGE HOUSE ADDITION
AT THE PARAMOUNT ARTS CENTER.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and he is hereby authorized and directed to execute a Letter of Understanding with Kentucky Power Company for the relocation of the power lines and service for the new stage house addition at the Paramount Arts Center. A copy of said letter is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. 45, 1999 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: April 1, 1999
READOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999
PUBLISHED:

MOTION

Motion was made by Stewart, seconded by Gunderson, to adopt Ordinance No. 45, 1999, at this its second reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 10, 1999

A RESOLUTION OF THE CITY OF ASHLAND

COMMISSIONERS OF APRIL 15, 1999.

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the “Consent Agenda” for the meeting of April 15, 1999. Attached hereto and incorporated herein, as if set out in full, is a copy of the “Consent Agenda” hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 15, 1999

MOTION TO ADOPT RESOLUTION

Motion was made by Reeves, seconded by Stewart, to adopt Resolution No. 10, 1999.

MOTION TO VOTE ON ITEM (N) SEPARATELY

Motion was made by Gunderson, seconded by Dickinson, to vote on Item (n) separately. Upon roll call, voting aye were Commissioners Dickinson, Gunderson, Stewart and Mayor Dunnigan. Nay - Commissioner Reeves. Motion passed.

VOTE ON ITEM (N)

Upon roll call, voting aye were Commissioners Reeves, Stewart and Mayor Dunnigan. Nay - Commissioners Dickinson and Gunderson. Motion passed.

REGULAR MEETING APRIL 15, 1999
RESOLUTION NO. 10, 1999 CONTINUED

VOTE ON ORIGINAL MOTION TO ADOPT RESOLUTION

Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND, **READING**
KENTUCKY, AUTHORIZING AND DIRECTING A.
R. **AND** DUNNIGAN, MAYOR, TO SUBMIT
THE AMENDED **ADOPTION** COMMUNITY

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND, **READING**
KENTUCKY, AUTHORIZING AND DIRECTING A.
R. **AND** DUNNIGAN, MAYOR, TO SUBMIT
THE 1999 ACTION **ADOPTION** PLAN IN THE SUM OF
\$855,000 FOR A COMMUNITY **ONLY**
DEVELOPMENT BLOCK GRANT TO THE U. S.
DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT (HUD), AND UPON ACCEPTANCE OF
SAID APPLICATION FROM HUD, TO EXECUTE ON
BEHALF OF THE CITY OF ASHLAND, AN AGREEMENT
WITH THE U. S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT TO ENABLE THE CITY TO
UNDERTAKE THESE ACTIVITIES AND/OR ANY AND
ALL DOCUMENTS ASSOCIATED WITH THIS GRANT
SUBMITTAL.

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1999

FIRST AN ORDINANCE OF THE CITY OF ASHLAND, **READING**
KENTUCKY, ACKNOWLEDGING THE
TRANSFER OF **AND** FRONTIER VISION
OPERATING PARTNERS, L.P. TO **ADOPTION**
ADELPHIA COMMUNICATIONS CORPORATION.

ONLY

DISCUSSION

Steve Trippe and Karen Hubbard were present and answered questions about Adelphia and the effect on local cable operations.

REGULAR MEETING APRIL 15, 1999
ORDINANCE NO. _____, 1999 CONTINUED

MOTION

Motion was made by Stewart, seconded by Reeves, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

AND MAYOR, TO EXECUTE A MEMORANDUM
OF **ADOPTION** UNDERSTANDING BETWEEN THE
CITY OF ASHLAND **ONLY** AND THE PARAMOUNT
ARTS CENTER REGARDING THE PARAMOUNT
THEATRE PROJECT.

MOTION

Motion was made by Stewart, seconded by Dickinson, to adopt Ordinance No. _____, 1999, at this its first reading. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

DISCUSSION ITEMS

Request for limited use of public right-of-way by Five State Properties, LLC, 2160 Carter Avenue - Motion was made by Reeves, seconded by Stewart, authorizing the Legal Department to prepare an ordinance. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

Request for limited use of public right-of-way by John M. Redmond, 2548 Hilton Avenue- Motion was made by Stewart, seconded by Reeves, authorizing the Legal Department to prepare an ordinance. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

APPOINTMENT

Motion was made by Gunderson, seconded by Stewart, approving the Mayor’s appointment of C. Ray McClure to the Ashland Area Convention and Visitors Bureau Board of Directors for a three year term – May 1, 1999 - May 1, 2002. Upon roll call, voting aye were Commissioners Dickinson, Reeves, Gunderson, Stewart and Mayor Dunnigan. Nay - none. Motion passed.

ADJOURNMENT

Mayor Dunnigan declared the meeting adjourned at 8:16 PM.

A.R. DUNNIGAN, MAYOR

ATTEST:

DEBORAH D. MUSSER
CITY CLERK